

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY ASSISTANCE**

**CHAPTER 1240-1-7
PERIODS OF ELIGIBILITY**

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1240-1-7-.01 PERIODS OF ELIGIBILITY. This section outlines Departmental policies concerning the establishment of periods of eligibility for HH/AG's requesting either AFDC, Food Stamps, or both from the Tennessee Department of Human Services.

- (1) Establishing Certification Period - Food Stamps Only. The period of eligibility for a Food Stamp household is its certification period. Definite periods of time are established within which a household shall be eligible to receive benefits. At the expiration of each certification period, entitlement to Food Stamp benefits ends. Benefits shall not be continued beyond the end of a certification period without a new determination of eligibility, even if the household has requested a fair hearing of an adverse action.
 - (a) Conformance with Calendar Months - Foods Stamps. Food stamp certification periods shall conform to calendar months. The month of application shall generally be the first month of the certification period for initial applications. Upon recertification, the certification period will begin with the month following the last month of the previous certification period.
- (2) Determining Length of Certification Period for Food Stamp Households. Households shall be assigned the longest certification periods possible based on the predictability of the household's circumstances. Households must be certified for at least three months except as discussed in Chapter 1240-1-7-.01 (2)(b). In no circumstances may a certification period extend beyond one year.
 - (a) Variable Benefit Levels Within a Certification Period. The household's allotment will vary from month to month within the certification period to reflect changes anticipated at the time of certification, unless the household elects the averaging techniques in Chapter 1240-1-4-.17.
 - (b) Exceptions to Three Month Certification Periods - Food Stamp Only.
 1. AFDC/Food Stamp Household Certification Periods - Food Stamp Only. Households in which all members are included in an AFDC grant shall have their Food Stamp recertification done to the extent possible at the same time the recertification for AFDC is made. The household shall be assigned definite certification periods not to exceed 12 months.
 2. Food Stamp Households Certified After the 15th of the Month. Households eligible for a certification period of three months or less shall, at the time of certification, have their certification periods increased by one month, if the certification process is completed after the 15th day of the month of application and the household's circumstances warrant the longer certification period.
 3. Households Experiencing Changes. Either before or after the 15th day of the month of application, households shall be certified for one or two months, as appropriate, when

(Rule 1240-1-7-.01, continued)

the household cannot reasonably predict what its circumstances will be in the near future.

4. Unstable Households - Food Stamps Only. Households shall be certified for one or two months when there is substantial likelihood of frequent and significant changes in income or household status.
5. Stable Households. Households shall be certified for up to six months if there is little likelihood of changes in income or household status.
6. Unemployable Households. Households consisting entirely of unemployable or elderly persons (60 years or older) with very stable incomes shall be certified for up to 12 months provided other household circumstances are expected to remain stable.
7. Certain Self-Employed Households. Households whose primary source of income is from self-employment (including self-employed farmers) or from regular farm employment with the same employer shall be certified for up to 12 months, provided the income can readily be predicted and household circumstances are not likely to change. Annual certification periods may be assigned to farm workers who are provided their annual salaries on a scheduled monthly basis which does not change as the amount of work changes.

Authority: TCA . . 14-8-106, 14-8-111, and 14-8-115; 45 CFR 206.10; PL 97-35. **Administrative History:** Original rule filed August 15, 1980; effective September 29, 1980. Repeal and new rule filed December 10, 1981; effective January 25, 1982. Amendment filed June 21, 1983; effective September 14, 1983.

1240-1-7-.02 ELIGIBILITY FOR AFDC BENEFITS. Once approved for an AFDC grant, the recipient continues to receive that grant until ineligible or eligibility for a different grant amount is determined. Eligibility in each AFDC and AFDC-FC case must be determined at least every six months.

Authority: TCA . 14-8-106, 14-8-111, and 14-8-115; 45 CFR 206.10. **Administrative History:** Original rule filed August 15, 1980; effective September 29, 1980.